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PATENT Customer No. 22,852 Attorney Docket No. 9131.0020-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Johan D. OVERBY et al.) Group Art Unit: 2826
Application No.: 10/759,747) Examiner: Not Yet Assigned
Filed: January 15, 2004) Confirmation No.: 6889
For: METHOD AND APPARATUS FOR DIGITAL DETECTION OF ELECTRONIC MARKERS USING FREQUENCY ADAPTATION))))

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

NOTICE OF FILING OF APPLICATION(S) PURSUANT TO 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c) AND REQUEST FOR RESCISSION OF NON-PUBLICATION REQUEST

On January 15, 2004, an authorized agent of the above-identified Applicants filed a Request for Non-Publication with the above-referenced application.

Pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c), Applicants hereby notify the U.S. Patent and Trademark Office that a PCT application directed to the invention disclosed in the above-identified application was filed on January 5, 2005. Applicants' representative is submitting this notice within forty-five (45) days of that filing.

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In view of the foregoing, Applicants withdraw the previously filed Request for Non-Publication.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: January 12, 2005

Gary J. Edwards

Reg. No. 41,008